

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

PERRY L. DIGGS, §
§
Plaintiff, § § Civil Action No. 3:04-CV-1367-D
VS. §
§
CRAIG CUNNINGHAM, et al., §
§
Defendants. §

ORDER

After making an independent review of the pleadings, files, and records in this case, and the findings and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct and are therefore adopted. Accordingly, defendants' July 11, 2005 motion for summary judgment is granted, and plaintiff's action against defendants Facilitech Systems, Inc. and Craig Cunningham is dismissed with prejudice by judgment filed today.

SO ORDERED.

September 20, 2005.


SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE